

# OFFICE OF THE ATTORNEY GENERAL

86-00011



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Mr. Marvin E. Weekley, Chairman  
Firefighters' Personnel Standards  
and Education Commission  
814 South McDonough Street  
Montgomery, Alabama 36130

Firefighters - Firefighters'  
Personnel Standards and  
Education Commission - Police  
Officers

An individual employed as a  
public safety officer who is  
required to be prepared at all  
times to perform the duties of  
a firefighter must meet the  
requirements of the Code of  
Alabama 1975, Section 36-32-7.

Dear Mr. Weekley:

This letter is in response to a request by the Fire-  
fighters' Personnel Standards and Education Commission that  
this office reconsider and alter its January 14, 1983,  
opinion regarding Public Safety Officers.

The minimum standards provided in the Code of Alabama  
1975, Section 36-32-7 apply to persons who are to be employed  
as firefighters by a public fire-fighting agency. A  
firefighter is any person who is permanently employed in fire  
administration, fire prevention, fire suppression, fire  
education, arson investigation and emergency medical  
services. Section 36-32-1.

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If a person is required at all times to be prepared to perform the duties of a firefighter then that individual is permanently employed as a firefighter. A public safety officer who is required to be prepared to perform the duties of a firefighter and a police officer is permanently employed as a firefighter and a police officer.

It was clearly the intent of the legislature that persons performing the duties of a firefighter or a police officer meet the respective training requirements for those positions. It is the opinion of this office that if a person is employed as a public safety officer and is required to be prepared at all times to perform the duties of a firefighter or a police officer then that individual must meet the requirements of the Firefighters' Standards and Education Act and the Peace Officers' Standards and Training Act. Section 36-32-7 and 36-21-46.

An individual, employed as a police officer who in addition serves as a volunteer fire fighter, does not have to meet the training requirements of the Code of Alabama 1975 for the position in which he serves as a volunteer.

The opinion to Robert V. Walker under the date of January 14, 1983, is modified.

I hope I have satisfactorily answered your inquiry with regard to this matter.

Sincerely,

CHARLES A. GRADDICK  
Attorney General  
By:



JACK M. CURTIS  
Assistant Attorney General

JMC/dn